(3)

C.F (10e)

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition No. 3951 /2004

PETITIONER : Ramayan Singh Sori,
S/o Late Shri Aghan Singh Sori,
aged about 47 years,
Occupation- Service, Working as Branch Manager (Durg – Rajnandgaon Gramin Bank, Branch – Gotatola), R/o Kailas Nagar, Ward No.1, Kawardha, District – Kabirdham, Kawardha (C.G.).

P.R. No. 3948/04
Presented by Shri L. T. Dhar
dated 18.10.04

- **Versus**-

RESPONDENTS : 1. Durg -Rajnangaon Gramin Bank,
Through its Chairman, Having
Head Office at Kaurim Bhatha,
Rajnandgaon (C.G.).

2. Shri Vijay Kumar Chandrawanshi,
Aged about 48 years, S/o Not known,
Working as Senior Branch Manager
(Enquiry Officer) Branch – M – Jamgaon,
Durg – Rajnandgaon Gramin Bank,
District – Durg (C.G.).

20/10/04

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF A WRIT OF CERTIORARI, MANDAMUS OR ANY OTHER WRIT OR DIRECTION TO DO JUSTICE IN THE MATTER.

(75)

XI-HC—78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P. 395/2004 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	17.1.2005 Shri Prashant Jayaswal, Senior Advocate with Shri Ali Asgar, Advocate for the petitioner. Heard on the question of admission. It is submitted by learned counsel for the petitioner that a charge sheet dated 13th February 2004 has been issued to the petitioner on account of certain allegations of financial irregularities and misconduct, allegedly committed in the year 1998-2000. Copy of the charge sheet has been filed as annexure P-4. The petitioner has prayed for issuance of a writ of certiorari for quashing the impugned charge sheet, contained in Annexure P-4 and also for quashing of the entire proceedings of departmental enquiry. Learned counsel for the petitioner very fairly submitted that a reply to the charge sheet issued to the petitioner has been field before the concerned authority on 3.3.2004 vide Annexure P-5. Presently, he is challenging the validity of issuance of notice and charge sheet on the ground of delay alone. He submits that for the alleged act of 1998-2000, the charge sheet has been issued in the month of February 2004 and the delay in issuance of the charge sheet is unexplained. He also draws attention of the Court towards document Annexure P-11, which is an application written by the dealing Clerk namely- R.K. Thakur, showing that the irregularities were committed by him and he is responsible for the same. I have heard learned counsel for the petitioner at length and I have also perused the documents Annexed with the petition. Learned counsel for the	

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P. 3951/2004 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश - 2 -	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	petitioner could not point out as to whether any limitation is prescribed for issuance of a charge sheet in a case like the case in hand. He is also unable to point out any infirmity regarding authority and jurisdiction of the concerned officer who has issued the charge sheet to the petitioner. Having heard learned counsel for the petitioner and having regard to the facts and circumstances of the case, in the opinion of this Court, present is not a fit case in which the interference is required at the initial stage of issuance of the charge sheet. In absence of challenge to the jurisdiction or the authority and also in absence of period of limitation for issuance of charge sheet and further in the circumstance, that the delay is not inordinate, this Court is not inclined to interfere with the matter at this stage. The petition is dismissed at the admission stage itself. However, the concerned authorities are directed to conclude the enquiry as early as possible preferably within the outer limit of 9 months from the date of filing of the copy of this order. With the aforesaid directions, the petitions stands finally disposed of. **Sd/-** **Sunil Kumar Sinha** **Judge**	
sunita		

Gr. PRJ—FS/350—12/2000—50,000.